BILL NO. 58

Government Bill

1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006

An Act Respecting the Administration of Justice

CHAPTER 16
ACTS OF 2006

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 23, 2006

The Honourable Murray K. Scott
Minister of Justice

Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly

2007-02998/

An Act Respecting the Administration of Justice

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *Justice Administration Amendment (Fall 2006) Act*.

PART I

BUSINESS ELECTRONIC FILING ACT

2 Section 3 of Chapter 3 of the Acts of 1995-96, the *Business Electronic Filing Act*, is amended by relettering the second clause (e) as clause (f).

3 Subsection 5(1) of Chapter 3 is amended by striking out the period at the end of clause (r) and substituting a semicolon and adding immediately after clause (r) the following clause:

(s) prescribing information to be provided for the purpose of administering and enforcing this Act and requiring a business to provide that information to the Minister.

PART II

CONDOMINIUM ACT

4 Section 7 of Chapter 85 of the Revised Statutes, 1989, the *Condominium Act*, as amended by Chapter 28 of the Acts of 1998, is further amended by adding "(1)" immediately after the Section number and adding the following subsection:

(2) Notwithstanding subsection (1), the copy of the documents delivered to the registrar of deeds shall include an additional copy of the plans and diagrams, and the copy of the documents delivered to the Registrar of Joint Stock Companies shall not include those plans and diagrams.

5 (1) Subsection 9(1) of Chapter 85 is repealed and the following subsection substituted:

(1) Every registrar of deeds shall register only such declarations, descriptions, by-laws, notices of termination and other instruments as may be received from the Registrar.

(2) Subsection 9(2) of Chapter 85 is amended by striking out "registered in the Condominium Corporations Register" in the first and second lines and substituting "received from the Registrar".

(3) Subsection 9(3) of Chapter 85 is amended by striking out "registered in the Condominium Corporations Register" in the first and second lines and substituting "received from the Registrar".

PART III

COURT AND ADMINISTRATIVE REFORM ACT

6 Section 3 of Chapter 23 of the Acts of 1996, the *Court and Administrative Reform Act*, is amended by

(a) adding "governing the" **immediately before "disposal" in the fifth line; and**

(b) adding "and where applicable" **immediately after "minimum" in the seventh line.**

PART IV

EXPROPRIATION ACT

7 Clause 3(1)(c) of Chapter 156 of the Revised Statutes, 1989, the *Expropriation Act*, is amended by striking out "prescription under Section 16 of the *Water Act*" in the last two lines and substituting "designation under Section 106 of the *Environment Act*".

PART V

MOTOR VEHICLE ACT

8 Section 300A of Chapter 293 of the Revised Statutes, 1989, the *Motor Vehicle Act*, is repealed and the following Sections substituted:

300A (1) Notwithstanding Sections 292 to 299A, any person who exceeds the maximum rate of speed in a school area referred to in Section 103 is liable to a fine not exceeding double the maximum set out in those Sections and, where there is a minimum fine, is liable to double the minimum fine.

(2) Notwithstanding Sections 292 to 299A, any person who exceeds the maximum rate of speed on a portion of a highway designated as a temporary work area in the manner prescribed by regulation is liable to a fine not exceeding double the maximum set out in those Sections and, where there is a minimum fine, is liable to double the minimum fine.

300B (1) The Governor in Council may make regulations respecting the manner in which a temporary work area is to be designated.

(2) The exercise of the authority in subsection (1) is regulations within the meaning of the *Regulations Act*.

PART VI

PUBLIC HIGHWAYS ACT

9 (1) Section 18 of Chapter 371 of the Revised Statutes, 1989, the *Public Highways Act*, is amended by adding immediately after subsection (1) the following subsections:

(1A) The Governor in Council may make regulations authorizing the Minister to extinguish the right of the public to use any highway or any part thereof subject to such conditions as the regulations may provide.

(1B) Where authorized by the regulations, the Minister may, by order, extinguish the right of the public to use any highway or any part thereof.

(2) Subsection 18(2) of Chapter 371 is amended by adding "or an order of the Minister" **immediately after "council" in the first line.**

(3) Subsection 18(3) of Chapter 371 is repealed.

PART VII

COMING INTO FORCE

10 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.